

U.S. Department of Justice



United States Attorney
Southern District of New York

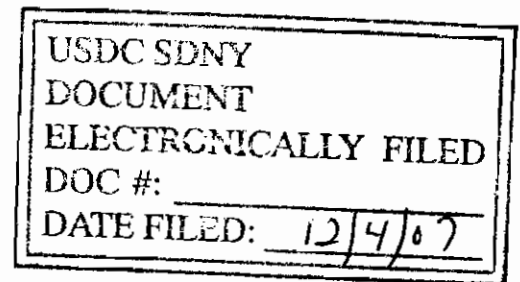
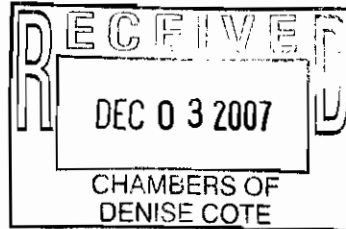
The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

MEMO ENDORSED

November 30, 2007

By Hand

Hon. Denise L. Cote
United States District Judge
500 Pearl Street
New York, NY 10007
(212) 805-7924



Re: United States v. Dismaris Castro, 07 Cr. 452

Dear Judge Cote:

The defendant in this case was arrested in Florida on November 28, 2007 and presented yesterday in the Middle District of Florida, where she was released on bail. Your deputy, Ms. Rojas, suggested an initial appearance date of December 14, 2007 at 10:30, in order to provide the defendant with an opportunity to make travel arrangements to this district and to explore the opportunity of retaining counsel in this district (she was represented at presentment by the Federal Defenders but has contacted an attorney in this district about possible representation).

Given that the purpose of a delayed initial appearance is for the convenience of the defendant and to provide her with an opportunity to retain counsel if she desires, the Government seeks to exclude time under the Speedy Trial Act until December 14, 2007. Such a continuance is warranted under 18 U.S.C. §§ 3161(h)(8)(A) because the ends of justice served by such a continuance outweigh the best interests of the public and the defendants in a speedy trial. I left a message with the defendant's Florida counsel today but she was out of the office and I have not yet heard back.

Exclusion is granted to 12/14/07.
Denise Cote
December 3, 2007

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By:

Arlo Devlin-Brown

Arlo Devlin-Brown
(212) 637-2506

cc: Maria Guzman, Esq. (counsel for defendant)
(813-228-2562)